

HOUSE No. 813

By Mr. Birmingham of Boston, petition of Charles H. McGlue for a legislative amendment of the Constitution providing for dividing the Commonwealth into single representative districts and for assignment of representatives thereto by the General Court. Constitutional Law.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Four.

Proposal for a Legislative Amendment of the Constitution providing for the Division of the Commonwealth into Single Representative Districts and the Assignment of Representatives thereto by the General Court.

1 A joint session of the senate and house of repre-
2 sentatives hereby declares it to be expedient to alter
3 the constitution by the adoption of the following
4 article of amendment, to the end that it may become
5 a part of the constitution, if similarly agreed to in
6 a joint session of the next general court and ap-
7 proved by the people at the state election next fol-
8 lowing: —

9 ARTICLE OF AMENDMENT.

10 Article XXI of the articles of amendment is hereby
11 annulled and the following is adopted in place
12 thereof: —

13 *Article XXI.* In the year nineteen hundred and
14 thirty-six and every tenth year thereafter a census
15 of the inhabitants of each city and town shall be

16 taken and a special enumeration shall be made of the
17 legal voters. Said enumeration shall specify the
18 number of such legal voters residing in each precinct
19 of each city, and each precinct of each town. The
20 enumeration aforesaid shall determine the division
21 of the commonwealth into representative districts
22 and the assignment of representatives thereto for the
23 periods between the making of the special enumera-
24 tions. The house of representatives shall consist of
25 two hundred and forty members and the numerical
26 unit determining a representative district shall be
27 one two hundred and fortieth of the aforesaid special
28 enumeration of legal voters. The general court shall,
29 at its first session after the next preceding special
30 enumeration, assign to each city in the common-
31 wealth the number of representatives to which it is
32 entitled, based upon the numerical unit determining
33 a representative district. No city shall be allotted
34 less than the number arrived at by dividing the total
35 number of voters in the city by the numerical unit
36 determining a representative district. The entire
37 excess of voters in the cities shall be totalled and
38 divided by the numerical unit, and the result ob-
39 tained will determine the number of additional repre-
40 sentative or representatives to which the cities are
41 entitled. The general court shall assign such addi-
42 tional representative or representatives to the city or
43 cities of the commonwealth which have the largest
44 excess until the excess quota of representatives is
45 exhausted. In nineteen hundred and thirty-eight, and
46 every tenth year thereafter, in December, each city
47 of the commonwealth, by vote of its city council,
48 shall make a new division of its territory into such
49 number of districts as the general court of that year

50 has assigned them representatives. The boundaries
51 of such districts shall be so arranged that the districts
52 shall contain, as nearly as may be, an equal number
53 of legal voters. The city clerk shall forthwith give
54 written notice to the state secretary of the number
55 and designations of the districts so established,
56 together with an official copy of the description of
57 said districts. The general court shall, at its second
58 session after each next preceding special enumeration,
59 divide the commonwealth into two hundred and forty
60 representative districts of contiguous territory and
61 assign to each district one representative, so that all
62 the districts will be represented in the house equally,
63 as nearly as may be, according to the number of legal
64 voters therein; and such districts shall be formed
65 without dividing a precinct of a town or district of a
66 city and without uniting two counties or parts of
67 two or more counties into one district. Every rep-
68 resentative, for one year at least, next preceding his
69 election shall have been an inhabitant of the district
70 for which he is chosen and shall cease to represent
71 such district when he shall cease to be an inhabitant
72 of the commonwealth. The manner of calling and
73 conducting the meetings for the choice of representa-
74 tives, and of ascertaining their election, shall be as
75 prescribed by law.

